IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

M.A.NO. 576 /2002

APPELLANT
CLAIMANT

RADHESHYAM, AGED ABOUT 40 YEARS, S/O.JHADURAM, CASTE-SATNAMI, R/O. VILLAGE-PARSADA H.S. PAMGARH, DISTT. JANJGIR, CHAMPA, CHHATTISGARH

VERSUS

RESPONDENTS

1) DEENABAI, AGED ABOUT 45 YEARS, S/O. CHAITUBAG, CASTE YADAV, R/O. VILLAGE KANTABHANJI, DISTT. BALANGIR (ORISSA),

(DRIVER OF VEHICLE NO. OR-3/5798)

2) MOHAN AGRAWAL, AGED ABOUT 60 YEARS, SON OF BALDEV AGRAWAL, R/O. VILLAGE KANTABHANJI, BALANGIR, DISTT. BALANGIR (ORISSA)

(DRIVER OF VEHICLE NO. OR-3/5798)

3) THE BRANCH MANAGER, THE NEW INDIA INSURANCE COMPANY, KANTABHANJI, DISTT. BALANGIR (ORISSA)

(INSURER OF VEHICLE NO. OR-3/5798)

APPEAL UNDER SECTION 173 OF THE MOTOR VEHICLE ACT, FOR THE ENHANCEMENT OF THE AMOUNT OF AWARD.

Compensation claimed	Rs.	20,00,000/-
•Compensation awarded.	Rs.	52,000/-

HIGH COURT OF CHHATTISGARH : BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL NO. 576 of 2002

Appellant : Radheshyam

Versus

Respondents: Deenabai & others

(Arising out of Claim Case No. 22 of 2000)

6-1-2007

Appellant in person with Shri Sushil Dubey, counsel for the appellant.

None for respondents No. 1 & 2.

Shri KL Daswani, Divisional Manager, New India Assurance Company Limited with Shri Sankalp Jaiswal, counsel for respondent No.3.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondent No.3 shall pay Rs.80,000/- (Rupees eighty thousand only) to the appellant.
2) For disbursement and deposit in FDR, the direction and ratio adopted by the Tribunal, if any, shall follow.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellant shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondents No.1 & 2 stands dismissed.
6) Out of the above amount, Rs.800/- (Rupees eight hundred only) shall be paid to counsel for the appellant directly by the Insurance Company towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/-
Justice Vijay Kumar Shrivastava
High Court of Chhattisgarh
Bilaspur

Sd/- 6.1.07
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

padma